

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/HR2005/000005

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C07D215/18 A61K31/47

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C07D A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, WPI Data, PAJ, BEILSTEIN Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	WO 2005/040123 A (SYNHTON B. V; OVEREEM, ARJANNE; VAN DEN HEUVEL, DENNIE, JOHAN, MARIJN) 6 May 2005 (2005-05-06) the whole document	1-13
X, P	WO 2004/108679 A (MOREPEN LABORATORIES LIMITED; SURI, SANJAY; SINGH, JUJHHAR; SARIN, GUR) 16 December 2004. (2004-12-16) page 20; example 3	1-13
X	WO 03/066598 A (DR. REDDY'S LABORATORIES LTD; CORD, JANET, I; REGURI, BUCHI, REDDY; BO) 14 August 2003 (2003-08-14) page 9	1-13
X	EP 0 480 717 A (MERCK FROSST CANADA INC) 15 April 1992 (1992-04-15) page 19; claim 8; example 161	1-13

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the International filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

28 October 2005

07/11/2005

Name and mailing address of the ISA  
European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Frelon, D

BEST AVAILABLE COPY

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/HR2005/000005

### Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

BEST AVAILABLE COPY

10/587537

IAP11 Rec'd PCT/PTO 27 JUL 2006

International Application No. PCT/HR2005/000005

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-7,12(part),13(part)

crystalline form of Montekulast

---

2. claims: 8,9,12(part),13(part)

amorphous form I of Montekulast

---

3. claims: 10,11,12(part),13(part)

amorphous form II of Montekulast

---

REST AVAILABLE COPY

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/HR2005/000005

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 2005040123	A	06-05-2005	NONE		
WO 2004108679	A	16-12-2004	AU	2003253247 A1	04-01-2005
WO 03066598	A	14-08-2003	AU	2003209043 A1	02-09-2003
EP 0480717	A	15-04-1992	AT	165088 T	15-05-1998
			AU	639610 B2	29-07-1993
			AU	8579491 A	16-04-1992
			CA	2053209 A1	13-04-1992
			CN	1061407 A	27-05-1992
			CS	9103095 A3	15-04-1992
			CY	2094 A	05-04-2002
			DE	19875039 I2	22-05-2003
			DE	69129257 D1	20-05-1998
			DE	69129257 T2	05-11-1998
			DK	480717 T3	08-02-1999
			ES	2114882 T3	16-06-1998
			FI	914796 A	13-04-1992
			FI	20000250 A	07-02-2000
			HK	1027473 A1	12-01-2001
			HU	61981 A2	29-03-1993
			HU	9500178 A3	28-08-1995
			IE	913609 A1	22-04-1992
			IL	99726 A	22-02-1998
			JP	2501385 B2	29-05-1996
			JP	5105665 A	27-04-1993
			KR	227716 B1	01-11-1999
			LU	90284 A9	03-11-1998
			LV	12187 A	20-12-1998
			MX	9101551 A1	05-06-1992
			NL	990009 I1	01-06-1999
			NZ	240194 A	28-03-1995
			PT	99213 A	30-09-1992
			SK	279944 B6	11-06-1999

BEST AVAILABLE COPY